

At a term of the Family Court of the
State of New York, held in and for
the County of Broome at
Binghamton, New York

HON. MARK H. YOUNG
FAMILY COURT JUDGE

STATE OF NEW YORK
FAMILY COURT : COUNTY OF BROOME

In the Matter of

██████████, ██████████,

Petitioner,

vs

JONATHAN REES,

Respondent.

ORDER TO RECUSE

Docket No: O-03679-23/24A

Family File No: 47031

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY, AFTER COURT HEARING, RESULT IN YOUR CONFINEMENT TO JAIL FOR A PERIOD OF UP TO SIX MONTHS FOR CONTEMPT OF COURT.

NOTICE: PURSUANT TO §1113 OF THE FAMILY COURT ACT, AN APPEAL MUST BE TAKEN WITHIN THIRTY DAYS OF RECEIPT OF THE ORDER BY THE APPELLANT IN COURT, THIRTY FIVE DAYS FROM THE MAILING OF THE ORDER TO THE APPELLANT BY THE CLERK OF THE COURT, OR THIRTY DAYS AFTER SERVICE BY A PARTY OR ATTORNEY FOR CHILDREN UPON THE APPELLANT, WHICHEVER IS EARLIEST.

APPEARANCES: None

This matter is before the Court in connection with the petitions filed as follows and delegated to the undersigned under the random assignment system:

Petition
Violation of Family Offense Petition

Date Filed
July 15, 2024

Petitioner

██████████

The undersigned was contacted by a friend of one of the litigants in this action.

The Code of Judicial Conduct requires a Judge's recusal when his or her impartiality

might reasonably be questioned. See, 22 NYCRR §100.3(c)(1). Canon 3(C) provides a relevant guide to whether recusal is appropriate. *Scott v. Brooklyn Hospital*, 93 AD2d 557,579. The decision to recuse remains within the sound discretion of a Judge.

The test is not whether actual bias exists, but whether circumstances give rise to the appearance of bias or what might be regarded as bias. "The test seeks to guarantee not only that a biased judge ... will not participate, but also that no reasonable person will suspect as much. *Id* at 579. Here, a reasonable person might suspect the presence of a predisposition or bias and the undersigned will, accordingly, recuse.

Accordingly, it is

NOW, THEREFORE, it is hereby

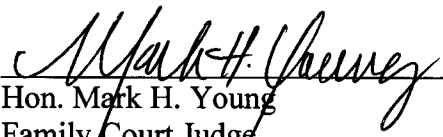
ORDERED that on the Court's own motion, I recuse myself from hearing the within Petitions or any other petition(s) which may be filed in the future; and it is further

ORDERED that the Trial scheduled on May 13, 2025 is hereby canceled; and it is further

ORDERED that this matter and any future matters shall be referred to the Chief Clerk of the Family Court for assignment to another Judge.

Dated: February 19, 2025

ENTER


Hon. Mark H. Young
Family Court Judge

THE ORIGINAL OF THIS ORDER WAS ENTERED IN THE OFFICE OF THE BROOME COUNTY FAMILY COURT CLERK ON *February 19, 2025*

THE DISTRIBUTION OF THIS ORDER IS AS FOLLOWS:

Upon:


Jonathan Rees

- via mail

Kevin M. Riddell, Esq.

- via mail

Ricky D. Andreorio, Esq.

- via email

Robert C. Kilmer, Esq., AfC

- via email

Docketing

- via email

By *Altrigiano*

Broome County Family Court Clerk's Office

*Service date and entry date are the same unless otherwise indicated.